

May 11, 1979

LB 378

treated differently from somebody who goes to the penitentiary straight-out, the courts understand relatively clearly, I believe, what the parole eligibility provisions are, so if they have somebody who in their view is treatable but they are concerned that he not serve as much time or they are concerned that he serve only the same amount of time as somebody who is not treatable, they can then take that into account in sentencing the individual.

SENATOR JOHNSON: Let me just make one more remark to Senator Hoagland. Senator, can you tell me where they can take that into account in sentencing them because I don't see that in this bill but maybe it is there.

SENATOR HOAGLAND: It will be within their normal sentencing discretion. I mean for instance if somebody is convicted of a five year offense, why their option is to sentence him from zero years all the way up to five years anyway.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Nichol, do you wish to close on these?

SENATOR NICHOL: No, I would just move for the adoption of the Nichol-Hoagland amendments.

SPEAKER MARVEL: All in favor of that motion vote aye, opposed no. We are voting on the amendments to LB 378. These are amendments of Senator Nichol and Senator Hoagland, is that right? We are voting on those amendments. Record the vote.

CLERK: 25 ayes, 3 nays, Mr. President.

SPEAKER MARVEL: The motion is carried and the amendments are adopted. Now, Senator Nichol, do you wish to advance the bill? Are there other amendments?

SENATOR NICHOL: No, there are no other amendments that I know of and, yes, I do suggest that we advance the bill.

SPEAKER MARVEL: The motion is to advance LB 378 to E & R for engrossment. All those in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. The A bill now. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, as I understand the A bill is \$1500 and I move....where is that bill, on Select? I move to advance it to E & R engrossing.